

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

<p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>THE COMMONWEALTH OF PUERTO RICO, <u>et al.</u></p> <p>Debtors. ¹</p>	<p>PROMESA Title III</p> <p>Case No. 17 BK 3283-LTS</p> <p>(Jointly Administered)</p>
<p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO</p> <p>as representative of</p> <p>PUERTO RICO ELECTRIC POWER AUTHORITY,</p> <p>Debtor.</p>	<p>PROMESA Title III</p> <p>Case No. 17 BK 4780-LTS</p> <p>Re: ECF Nos. 16820, 16833, 16950 and 16952 in Case No. 17 BK 3283-LTS and ECF Nos. 2498, 2499, 2517 and 2521 in Case No. 17 BK 4780-LTS</p> <p>This Urgent Motion Relates Only to PREPA and Shall Only Be Filed in Case No. 17 BK 4780-LTS</p>

**URGENT MOTION TO EXTEND
DATES IN SCHEDULING ORDER**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

To the Honorable Laura Taylor Swain, United States District Judge:

Foreman Electric Services Inc. (the “Movant”) hereby submits this urgent motion for an order extending all dates in the scheduling order that this Court entered on July 28, 2021 (ECF No. 17549)² (the “Scheduling Order”).

1. On May 28, 2021, Movant filed the *Verified Motion of Foreman Electric Services Inc. for Allowance of Administrative Expense Claim* (the “Motion”) (ECF No. 16820).

2. On the same date, the Honorable Court entered a scheduling order granting until June 11, 2021, at 5:00 p.m. AST to file responsive papers to the Motion and until June 18, 2021, at 5:00 p.m. AST to file Movant’s reply papers.

3. On June 11, 2021, PREPA and Movant (the “Parties”) filed an *Urgent Joint Motion to Extend Dates in Scheduling Order* (ECF No. 16950) (the “Joint Motion”). In the Joint Motion, the Parties informed the Honorable Court that PREPA needed additional time to further evaluate the claims made by Movant in the Motion and that the Parties had conferred to discuss PREPA’s need to amend the briefing schedule.

4. The Parties requested the Court to set June 25, 2021, as deadline for PREPA to file responsive papers to the Motion and July 9, 2021, as deadline for Movant to respond to responsive papers filed by PREPA. On June 11, 2021, the Court entered an Order granting the Parties’ request (ECF No. 16952).

5. On June 25, 2021, the Parties filed another *Urgent Joint Motion to Extend Dates in Scheduling Order* (ECF No. 17169). On that same date, this Court granted the Parties’ request and entered an order extending the PREPA to file responsive papers to the Motion until July 16, 2021 and Foreman’s Reply is due by July 30, 2021 at 11:59 p.m. (ECF No. 17170).

² Reference to Case No. 17 BK 3283-LTS.

6. On July 16, 2021, PREPA filed its *Objection to Verified Motion of Foreman Electric Services Inc. for Allowance of Administrative Expense Claim*, (“PREPA’s Objection”) (ECF No. 17403).

7. On July 28, 2021, Foreman filed an “Urgent Motion” requesting an extension of time to file a reply to PREPA’s Objection (ECF No. 17541). On that same date, this Court entered an order granting Movant’s motion and Foreman was ordered to file its reply by August 16, 2021 (ECF No. 17549).

8. Recently, Foreman decided that attorney David R. Keesling will join McConnell Valdés as Movant’s legal representation. As such, an “Application for Admission *Pro Hac Vice*” has been filed today, *see* Docket Entry No. 17850. Therefore, additional time is necessary for the new members of the legal team to familiarize with the present controversy.

9. In light of the above stated, Movant respectfully requests from this Court to grant an extension of time until **August 31, 2021** for Foreman to file its Reply.

10. The undersigned has conferred with PREPA’s counsel to discuss Foreman’s request for an additional term to file its Reply and she has no objection.

11. Good cause exists to grant this Urgent Motion. The requested extension of time is reasonable and necessary considering the recent developments and PREPA has consented to the extension, therefore, no disadvantage or harm will be inflicted on any of them by the Court’s approval of the requested extension. Furthermore, PREPA has requested additional time to submit English translations of Spanish-language case law pertaining to this matter.

(...)

**CERTIFICATION OF COMPLIANCE WITH LOCAL
RULE 9013-1 AND THE FOURTEENTH AMENDED CASE MANAGEMENT
PROCEDURES**

12. Pursuant to Local Rule 9013-1 and ¶ I.H of the Fourteenth Amended Notice, Case Management and Administrative Procedures Order, Dkt. 15894-1, the Parties hereby certify that they have (a) carefully examined the matter and concluded that there is a true need for an urgent motion; (b) not created the urgency through any lack of due diligence; (c) made a bona fide effort to resolve the matter; (d) made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court; and (e) been in contact with each other, and all Parties have consented to the relief requested herein.

13. In accordance with Paragraph II.F of the Case Management Procedures, the Parties have provided notice of this motion to all counsel of record. The Parties submit that, in light of the nature of the relief requested, no other or further notice need be given.

CONCLUSION

For the foregoing reasons, the Parties respectfully request the Court enter the Proposed Order attached as **Exhibit A**, granting the relief requested herein and all other relief as is just and proper.

Dated: August 16, 2021

San Juan, Puerto Rico.

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EXHIBIT A

Proposed Order